

CHUCK VOLLAN

“Bone Dry”

South Dakota’s Flawed Adoption of Alcohol Prohibition

In the common understanding of prohibition history, South Dakota should have been a paragon of support for banning alcoholic beverages in the early twentieth century. The typical belief during the era and ever since has been that the more pious, conservative rural population desired prohibition, while hedonistic, worldly city dwellers opposed it. South Dakota in the 1910s was overwhelmingly rural, and the state had a highly religious and culturally conservative reputation. In 1916, South Dakota voters chose to ban the commercial importation, sale, and production of alcoholic beverages. However, an unlikely coalition of religiously motivated Protestant reformers, led by the Woman’s Christian Temperance Union (WCTU), and Charles M. (“Charlie”) Day, the editor of the *Sioux Falls Daily Argus-Leader*, successfully pushed for a law that went far beyond what voters had supported when they amended the state constitution to limit commercial alcohol manufacture, sale, and importation. The fight over prohibition in South Dakota reveals much about the state’s religious, ethnic, and political differences.

Prohibition proved to be one of the chief political battles of the early twentieth century in South Dakota, along with farm relief, government economy, and the role of state government in citizens’ lives. At first, the alcohol issue generated conflict mainly within the Republican Party, especially within its progressive wing. After the great stock market crash of 1929 and the onset of the Great Depression, prohibition became a partisan issue. Republicans were more likely to be “dry” (supporters of prohibition), while Democrats were more likely to be “wet” (opponents of the measure). Nationally, the Democratic Party had long been the party of immigrants, and many immigrants (with the notable exception of Scandinavians) opposed prohibition. Like its Great Plains neighbors, South Dakota has a long and complex rela-

tionship with alcohol, and its experiences with alcohol regulation and prohibition mirrored regional and national trends.

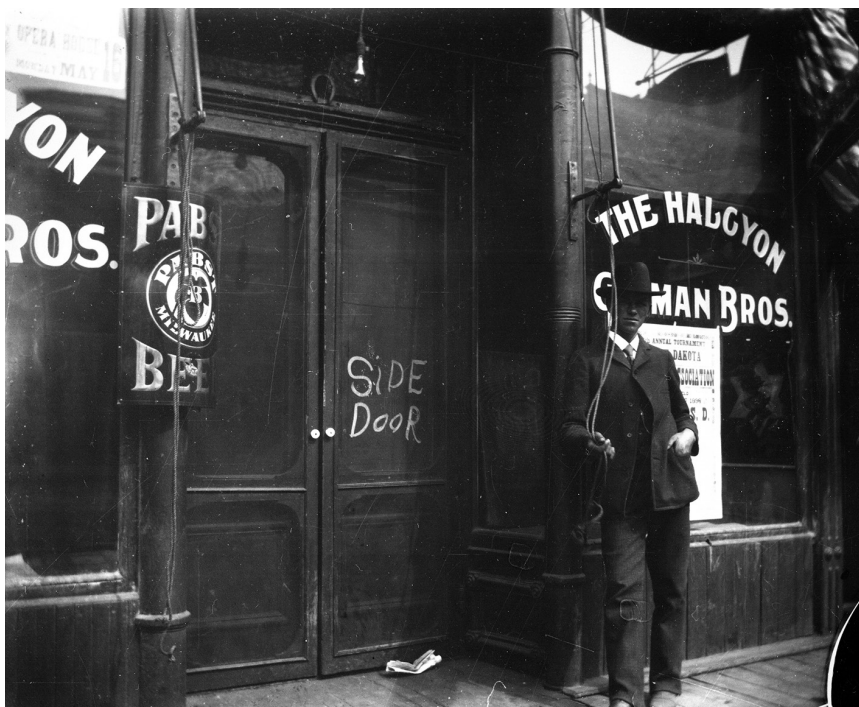
The impact of prohibition went beyond the mere banning of alcohol. The measure criminalized what had been common behavior, and its implementation required a larger state role in law enforcement. In removing the alcohol industry entirely from state politics, prohibition provided a clear path for women's suffrage by silencing a well-funded and vocal opponent of votes for women. However, the gaps between voters and their elected representatives, and between the wording of the approved ballot measure and the subsequent prohibition law enacted by the state legislature, ensured that prohibition in South Dakota, long considered among the nation's most anti-alcohol states, was doomed to failure. While the state's politicians were overwhelmingly in favor of prohibition, wet and dry voters were nearly evenly matched in numbers.

Prohibition advocates were always more organized and motivated than opponents. They fought against what Faulkton resident and South Dakota WCTU president Anna R. Simmons decried as "the greatest home destroyer in our own state, or any other, in our own land or the world—the legalized liquor traffic and the licensed saloon."¹ Drys long opposed alcohol use for its addictiveness, for causing poverty, violence, indolence, and waste, and for destroying families; in other words, they believed that alcohol abuse lay at the base of most forms of social disorder.²

From the time when present-day South Dakota was still part of Dakota Territory, Protestant reformers had pushed to establish a dry constitution for the future state. The first constitutional convention, held in Sioux Falls in 1883, considered a prohibition clause but did not include it in the proposed constitution. The 1885 convention created a document similar to that of 1883, except that voters were to make the choice for or against prohibition in a referendum. Southern Dakota

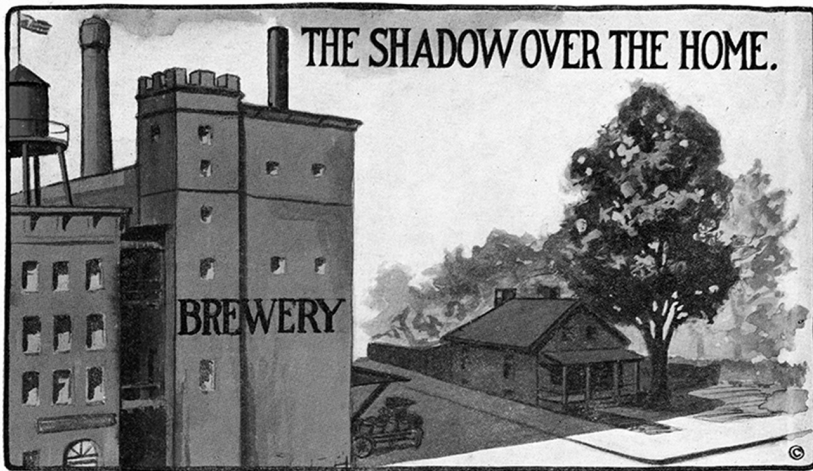
1. Anna R. Simmons, "President's Letter," *White Ribbon Journal* 20 (Oct. 1910): 1.

2. Mark Edward Lender and James Kirby Martin, *Drinking in America: A History*, rev. ed. (New York: Free Press, 1987), pp. 102–7.

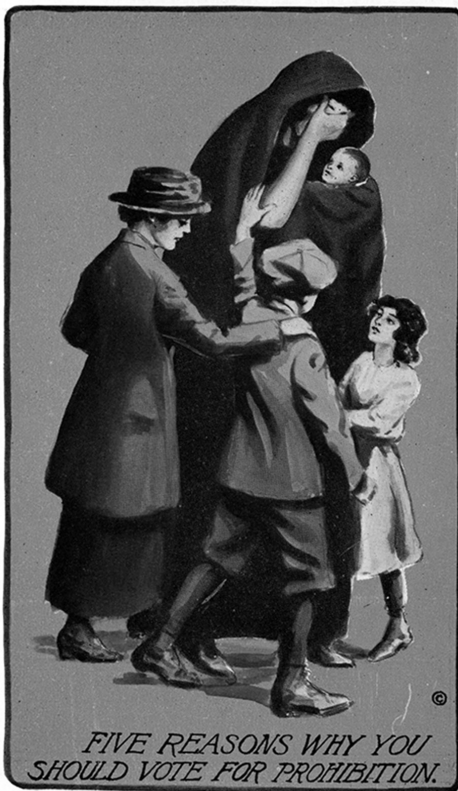


In 1896, South Dakota voters repealed the original prohibition clauses in the state constitution. The Halcyon Saloon on Phillips Avenue in Sioux Falls was one of many establishments that quickly resumed alcohol sales, although the fight over prohibition would continue for years.

Territory chose prohibition by a vote of 15,570 to 15,337—virtually an even split. Congress declined to admit the proposed state in 1885, however. Fearing that the prohibition controversy might reduce support for a new state constitution, the creators of the 1889 South Dakota constitution chose to allow another referendum to decide the issue. On 1 October 1889, voters approved Article 24, “Prohibition,” by a tally of 40,234 to 35,510. The measure outlawed the manufacture, sale, importation, and giving away of alcohol, but it said nothing about personal possession or consumption. In the same election, women’s suffrage was soundly rejected. South Dakota remained legally dry from 1889 until voters struck prohibition from the state constitution in 1896 by casting



The ominous presence of the brewery on this 1915 postcard reflects the view of prohibition advocates that any use of alcoholic beverages was a threat to the family.



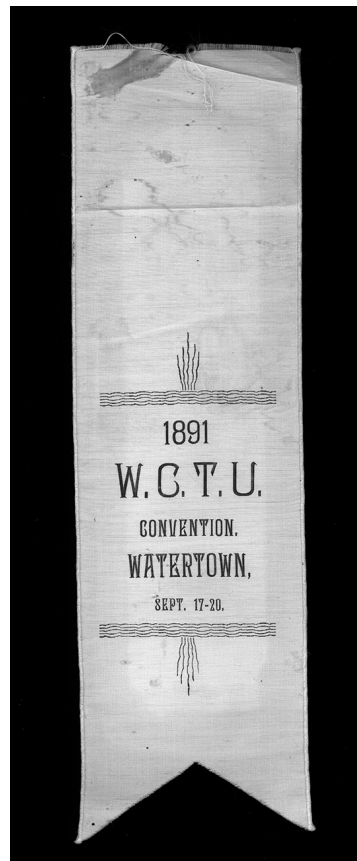
At a time before women could vote for themselves, this image was intended to persuade men to protect their wives and children by casting their ballots for prohibition.

31,901 ballots for repeal and 24,910 against. Nevertheless, proponents of alcohol prohibition remained active and worked to impede consumption.³

In 1897, the state legislature passed a measure that prohibited the sale of alcoholic beverages within the limits of an incorporated city,

3. Herbert S. Schell, *History of South Dakota*, 4th ed., rev. John E. Miller (Pierre: South Dakota State Historical Society Press, 2004), pp. 213, 215, 222; South Dakota Constitution (1889), art. 24, secs. 1–2; Doane Robinson, “A Century of Liquor Legislation,” *South Dakota Historical Collections* 12 (1924): 288, 293–95; George W. Kingsbury, *History of Dakota Territory*, and George Martin Smith, *South Dakota: Its History and Its People*, 5 vols. (Chicago: S. J. Clarke Publishing Company, 1915), 3:754–56.

Although voters had approved prohibition along with the state constitution in 1889, the Woman’s Christian Temperance Union (WCTU) remained active in the 1890s, lobbying for enforcement of the state’s liquor laws as part of its broad social reform agenda. This ribbon commemorates the organization’s 1891 state convention, held at Watertown.



town, or township without a license from the municipal government. Local governments could issue liquor licenses only with the approval of voters at a municipal general election. The law further required a citizen-led petition drive even to place the liquor question on the ballot. In 1904, the South Dakota Supreme Court ruled that the local option law, as amended by the 1903 legislature, limited liquor licenses to a period of one year. The court's decision meant that liquor sales had to be voted on every year in wet towns, thus keeping the issue in the public eye and allowing temperance forces to win support for their position gradually. Increased interest in prohibition, both nationally and internationally, built momentum for the cause. Victories at the ballot box gave drys reason to celebrate and made each election a milestone in a grand horse race. By the time of the April 1915 municipal elections, wets and drys in towns and cities across the state were actively battling for control.⁴ That spring, according to historian George Martin Smith, "the prohibition wave swept the whole country." In 1915, there were fifteen dry states. Prohibition laws were common in western states such as Kansas, North Dakota, Colorado, and Arizona. In 1916, Montana and Idaho went dry, and Utah remained wet only because of the governor's veto of a prohibition bill.⁵

The 1915 municipal elections highlighted two important trends in South Dakota. First, no Catholic churches in the state were involved, nor would they ever join the prohibition movement. Both Catholics and Jews utilized wine in religious services, accepted moderate alcohol use in private life, and tended to vote that way. The Methodist, Congregationalist, and Baptist churches led the fight for prohibition, with Lutherans divided on the issue. Episcopalians and Presbyterians largely kept out of the fight. A bitter campaign against sacramental wine by certain Protestant drys in 1890 had exposed a religious and cultural divide that had never healed. This rift surfaced again when the Ku Klux

4. South Dakota, *Enabling Act and Constitution and the Laws Passed at the Fifth Session of the Legislature of the State of South Dakota* (1897), ch. 72 (hereafter cited as *Session Laws*); *ibid.* (1903), ch. 166; Smith, *South Dakota: Its History and Its People*, 3:754–55; *Sioux Falls Daily Argus-Leader*, 15 Apr. 1916.

5. Smith, *South Dakota: Its History and Its People*, 3:757–58.

Klan organized in South Dakota in 1921. The Klan was anti-Catholic, anti-Semitic, anti-immigrant, and in favor of prohibition. At least part of the electorate likely held similar opinions in 1916.⁶

The second trend was strong, enduring Scandinavian support for prohibition in South Dakota. Swedish and Norwegian individuals and organizations, including churches, were more likely than those of any other ethnicities to support prohibition. Sioux Falls boasted a Norwegian Anti-Saloon League (ASL) chapter, which soon began organizing “all of the Scandinavian churches in the city,” according to the *Sioux Falls Daily Argus-Leader*.⁷ Sioux Falls also had a Swedish chapter, Lodge No. 82, of the International Order of Good Templars, an international temperance organization. Swedes were politically active in South Dakota beyond what their 3.9 percent of the state’s 1915 population (22,872) would indicate.⁸

Drys had other reasons to celebrate at the state and national levels. In 1914, the ASL sent the South Dakota legislature a petition with eight thousand signatures asking for a prohibition referendum. After heavy lobbying by the ASL and WCTU, the state’s Republican-dominated legislature passed a law on 4 March 1915 to refer a constitutional amendment banning the manufacture and sale of alcohol to voters. If the proposal, identified on the ballot as Amendment 7, passed at the November 1916 general election, South Dakota would constitutionally limit alcohol beginning on 1 July 1917. On the same day the legislature submitted Amendment 7, the South Dakota House of Representatives

6. Ibid., 3:738–39; William Hobart Hare, *The Life and Labors of Bishop Hare, Apostle to the Sioux*, ed. M. A. De Wolfe Howe (New York: Sturgis & Walton, 1912), pp. 315–16; Jon K. Lauck, “‘You can’t mix wheat and potatoes in the same bin’: Anti-Catholicism in Early Dakota,” *South Dakota History* 38 (Spring 2008): 20–21; Lender and Martin, *Drinking in America*, p. 96; Charles Rambow, “The Ku Klux Klan in the 1920s: A Concentration on the Black Hills,” *South Dakota History* 4 (Winter 1973): 69–73.

7. *Sioux Falls Daily Argus-Leader*, 11 June 1915.

8. Elwin E. Rogers, “Almost Scandinavia: Scandinavian Immigrant Experience in Grant County, 1877–1920,” *South Dakota Historical Collections* 41 (1982): 368–79; *Pierre Daily Capital Journal*, 16 Feb. 1917; Doane Robinson and C. Stanley Stevenson, comps., *Third Census of the State of South Dakota, Taken in the Year 1915* (Sioux Falls, S.Dak.: Press of Mark D. Scott, 1915), p. 14.



The International Order of Good Templars, one of several organizations devoted to the temperance cause, had a strong presence among the Swedish-American community in Sioux Falls. This button commemorated a Good Templars meeting at West Sioux Falls in 1903.

concurred with the senate's resolution bringing women's suffrage before the people in the November election.⁹

The two issues had long been closely linked. Anna Simmons, president of the South Dakota WCTU from 1909 to 1917, was also a veteran campaigner for woman suffrage, having served as president of the South Dakota Equal Suffrage Association from 1895 to 1900.¹⁰ In her opinion, lax enforcement of the state's liquor laws by elected sheriffs, state's attorneys, and county judges between 1889 and 1896 had contributed to the defeat of prohibition at the polls. Without the vote,

9. *Sioux Falls Daily Argus-Leader*, 3, 4 Mar. 1915, 16 Feb. 1916, 30 June 1917.

10. Ann D. Gordon, ed., *The Selected Papers of Elizabeth Cady Stanton and Susan B. Anthony*, vol. 6, *An Awful Hush, 1895 to 1906* (New Brunswick, N.J.: Rutgers University Press, 2013), p. 19.

women could not effectively pressure elected officials to enforce the law. Writing to fellow WCTU members in 1911, Simmons declared, "The only way to protect our homes is through the ballot; and I was so delighted when several of our leading women wrote me, 'Work, work for woman suffrage, and we will get prohibition to keep.'"¹¹ In 1914, South Dakota WCTU leaders recommended that "for this year we make the suffrage campaign our principal work."¹²

Meanwhile, South Dakota's dry, Republican congressional delegation worked to advance prohibition on the national level. Senators Robert J. Gamble and Coe I. Crawford (both progressives) and Representatives Charles H. Burke and Eben W. Martin (sometimes a progressive) voted with the majority to override President William Howard Taft's veto of the Webb-Kenyon Act in 1913. The legislation prohibited the importation of alcohol into states and territories where it would violate existing liquor laws. Proponents of the Webb-Kenyon Act argued that it was needed to shield dry jurisdictions from claims that state and territorial prohibition laws encroached on Congress's authority to regulate interstate commerce. A challenge to the constitutionality of the controversial legislation soon wound its way through the federal courts.¹³

At this point, Wayne B. Wheeler and the national ASL leadership published a plan, "The Next and Final Step," advocating a prohibition amendment to the United States Constitution.¹⁴ While it maintained state-level campaigns, the ASL attempted to implement its national plan in 1914 via the Hobson Amendment, named for its sponsor, Democratic Representative Richmond P. Hobson of Alabama. The ASL had written the amendment, and it accurately reflected the league's gradualist approach. The measure sought to end the "sale, manufacture for

11. Anna R. Simmons, "President's Letter," *White Ribbon Journal* 20 (Mar. 1911): 1.

12. "Plans for Suffrage Campaign," *White Ribbon Journal* 24 (July 1914): 1.

13. Ernest Hurst Cherrington, ed., *The Anti-Saloon League Year Book 1915* (Westerville, Ohio: The Anti-Saloon League of America, 1915), p. 104; *New York Times*, 14 Jan. 1917; Daniel Okrent, *Last Call: The Rise and Fall of Prohibition* (New York: Scribner, 2010), p. 58.

14. K. Austin Kerr, *Organized for Prohibition: A New History of the Anti-Saloon League* (New Haven, Conn.: Yale University Press, 1985), p. 141; Okrent, *Last Call*, p. 59.

sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes.”¹⁵ The amendment did not address personal possession and consumption, which meant that it would be possible, theoretically, for the nation to be dry while citizens could still possess and consume alcohol. South Dakota’s entire congressional delegation expressed support for the Hobson Amendment. While the measure achieved a majority in the House of Representatives, it failed to get the required two-thirds vote. The Senate took no action after the House vote.¹⁶ Even so, the nation’s prohibitionists were optimistic about their future chances.

In the fall of 1915, the South Dakota ASL initiated a year-long campaign in favor of the proposed Amendment 7 featuring speakers known both locally and nationally. Many of the state’s progressive political and cultural leaders spoke in favor of the amendment, including Governor Frank M. Byrne, United States Senator Thomas Sterling, former Senator Coe Crawford, Congressman Charles H. Dillon, and South Dakota State College president Elwood C. Perisho. “A large number of other ministers and professional men” supported Amendment 7, according to the *Argus-Leader*. The campaign began at the Mitchell Corn Palace.¹⁷ The South Dakota WCTU, led by President Anna Simmons, joined forces with the ASL to organize the “Water Wagon Crusade” against easily available alcohol and in support of the proposed amendment. The campaign relied upon speaking tours, enormous quantities of printed literature, and paid newspaper advertising.¹⁸ While the ASL possessed more resources and had a greater public stature, the WCTU proved its own effectiveness at the local level.

In January 1916, the popular and dry Lieutenant Governor Peter Norbeck announced his candidacy for governor on the Republican ticket. Norbeck was a member of the South Dakota Progressive Republican League. Although an occasional drinker, he had been active in

15. Ernest Hurst Cherrington, *Prohibition Text Book* (Westerville, Ohio: American Issue Publishing Co., 1915), pp. 5–6.

16. Cherrington, ed., *Anti-Saloon League Yearbook 1915*, pp. 94–98.

17. *Sioux Falls Daily Argus-Leader*, 31 Aug. 1915.

18. *Ibid.*, 11 Aug., 21 Dec. 1915, 28 Feb., 11 Mar., 17 July 1916.



Anna R. Simmons of Faulkton, president of the South Dakota WCTU from 1909 to 1917, was an important advocate for the “bone dry” state prohibition law passed in 1917. The Sixth District of the South Dakota WCTU presented Simmons with this ivory-headed gavel.

dry causes since 1892. The Republican Party dominated South Dakota, with most meaningful political battles in this era being fights between the party’s “Progressive” and “Stalwart” factions. Progressives had the upper hand in 1916. That year’s Republican primary pitted Norbeck against another progressive, Richard O. Richards, and perennial gubernatorial candidate George W. Egan, a Sioux Falls attorney known for his rhetorical prowess but dogged by allegations of professional misconduct. Richards was an energetic progressive, well known as the father of the innovative, if complicated, primary election system voters had enacted in 1912, only to be repealed by the state legislature three years later. In a debate with Norbeck in Mitchell on 15 May, Richards declared himself opposed to prohibition *and* to saloons but in support of temperance, or moderation in the use of alcohol. Richards argued that prohibition had a negative effect on temperance. At first, Norbeck passively ignored the subject, but Richards demanded that he express his views, and the two debated the prohibition issue. Like Egan, Richards was a regular candidate for high state office. He possessed extraor-

Let's Vote Right

As we sing to the tune
of Tipperary:

It's the right time for prohibition
It's a safe way to go;
It's a bright day for prohibition
In the greatest state I know.

Farewell, old Anheuser!

Goodby, Rock and Rye!

We will win our fight for prohi-
bition,

And you know just why.



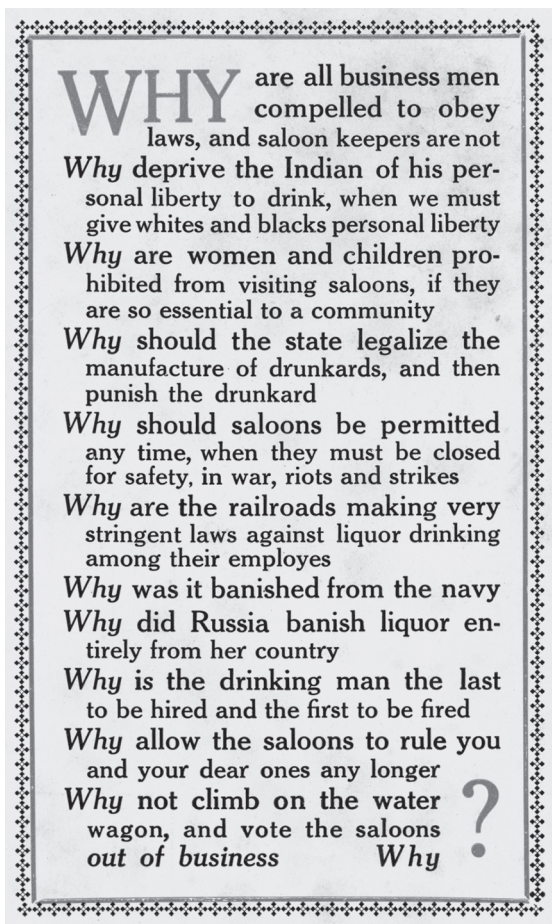
Prohibition campaigners
often used popular music
to spread their message.

dinary tenacity and proved to be a key early opponent of prohibition, if an ineffective one. According to the *Argus-Leader's* account of the Mitchell debate, the audience expressed disapproval of Richards's position.¹⁹

19. Gilbert Courtland Fite, *Peter Norbeck, Prairie Statesman* (Pierre: South Dakota State Historical Society Press, 2005), pp. 17, 39, 50–51, 56; *Sioux Falls Daily Argus-Leader*, 16 May 1916. For Egan's checkered legal and political career, see Lynwood E. Oyos, "George W. Egan: The Demagogue Who Would Be Governor," *South Dakota History* 36 (Fall 2006): 292–316.

The April 1916 municipal elections ratcheted up support for prohibition and for dry candidates, with another fourteen South Dakota cities going dry. None went from dry to wet. Drys showed increased power in the Black Hills, gaining Hill City, Hot Springs, and Whitewood, and reducing the wet margin in Deadwood. Sioux Falls remained wet, but by a smaller margin than in 1915. Roland N. Holsapple, superintendent of the South Dakota ASL, argued that the vote indicated passage of Amendment 7 in the fall, if the drys could maintain their enthusiasm. With these elections, the ASL claimed there were over four hundred

This 1915 postcard summarizes several of the prohibition movement's key arguments and urges voters to "climb on the water wagon."



dry towns and cities in South Dakota. Only ninety-two municipalities granted liquor licenses, and just 275 saloons remained in the state. In truth, most of South Dakota was already legally dry.²⁰

The momentum from the April municipal elections carried into the primary on 23 May, in which Norbeck easily defeated Egan and Richards, having won support from both the Progressive and Stalwart factions of the Republican Party. Norbeck received almost thirty-two thousand votes against twenty-two thousand combined for his two rivals. The 1916 South Dakota Republican platform supported women's suffrage and prohibition. Neither the Democratic platform nor the party's gubernatorial candidate, Orville E. Rinehart of Rapid City, emphasized prohibition. Few Democrats thought Rinehart could defeat Norbeck, no matter his position on alcohol.²¹

With Amendment 7 on the November ballot, wets and dries fought to discredit each other. Both sides established front organizations. The *Argus-Leader* opined that "the prohibition fight will be of special interest to the newspapers of South Dakota, as a great part of the battle for and against prohibition will be conducted by means of paid advertisements in the newspapers of the state."²² The assessment was accurate. The most important wet organization was the South Dakota Local Option League, headed by Mark W. Sheafe of Watertown, a prominent Democrat and a former state senator.²³

In competing newspaper advertisements, the ASL and the South Dakota Local Option League accused each other of misrepresenting facts and the effects of prohibition in other states. The ASL charged that its rival organization was a front for the Chicago Brewers Association. Although the Local Option League claimed to have statewide membership, including prominent representatives in almost every county, in at least one case the supposed county representative threatened a lawsuit to end the organization's use of his name. The Local Option League was so well financed that it was able to print vast numbers

20. *Sioux Falls Daily Argus-Leader*, 19 Apr. 1916; Ernest Hurst Cherrington, ed., *The Anti-Saloon Yearbook 1916* (Westerville, Ohio: The Anti-Saloon League, 1916), pp. 255–56.

21. Fite, *Peter Norbeck*, p. 52; South Dakota, *Legislative Manual* (1917) pp. 276, 513–17.

22. *Sioux Falls Daily Argus-Leader*, 17 July 1916.

23. *Ibid.*, 11 Sept. 1916.

The South Dakota Local Option League distributed literature in 1916 urging voters to reject state prohibition and leave alcohol regulation a matter of local jurisdiction.

WHY NOT
LET WELL ENOUGH ALONE?

An Argument for
LOCAL OPTION

A TEMPERANCE MEASURE

With a Few Letters
Showing What
Plain
South Dakotans
Think of
LOCAL OPTION

ISSUED BY
**SOUTH DAKOTA
LOCAL OPTION LEAGUE**
HURON, SOUTH DAKOTA

of advertisements in every newspaper in the state and bring in well-known speakers, including the noted attorney Clarence S. Darrow and the mayors of several large cities. Wets argued that under prohibition, temperance decreased, crime increased, respect for authority and law declined, taxes rose, and citizens lost their personal liberty. They called for maintenance of the municipal option system. The ASL and the "City Dry Union," a bipartisan group organized by several Sioux Falls Protestant churches, represented the dry point of view. Although

SOUTH DAKOTA LOCAL OPTION LEAGUE

"Local Option a Temperance Measure"

TO THE RESIDENTS OF SOUTH DAKOTA:

In 1896 the electors of South Dakota, by a majority vote, adopted the present local option law as a relief from a prohibitory law, that for years had been a cover for deceit, hypocrisy and illegal practices. The proponents of the local option law at that time (1896) urged its adoption as a corrective and temperance measure. It was argued that the principle of local option and control would act as an annual reminder to the law enforcement bodies, that the sentiment of the cities and towns was either for or against the sale of liquor (either legally or illegally) and thereby left no alternative to the strict enforcement of the law.

Many other arguments were advanced at that time in support of the local option principle as a temperance measure, and in the belief its adoption would bring relief from intolerable conditions (the offspring of prohibitory control) the local option principle was supported by prominent clergymen, professional and business men, and made a part of the South Dakota laws.

Its application during the past years has proved conclusively the South Dakota local option law has been the most effective temperance legislative act passed by the South Dakota legislature since statehood.

LET US REVIEW THE FACTS

Until 1896 the illegal sale of liquor was a common practice in nearly every city and town in South Dakota. Small towns desiring the enforcement of prohibitory law were helpless because of the dominance of illegal dealers over the law enforcement officials. Public opinion was dormant and non-assertive. The prohibitory law had bred hypocrisy, deceit, perjury and blackmail.

In 1896, the local option law was adopted and many cities and towns voted to legalize a traffic which had been illegally developed in these cities and towns under so-called prohibition. The vote of 1896 in favor of local option signified no other disposition on the part of the electorate than to legally control a business which had been built up under prohibitory law. At each annual election since 1896, the trend has been unmistakably toward temperance through local option by majority vote until at the elections of 1916 only 80 cities and towns voted for legal sale, in several of which no licenses will be issued. Should the same ration of decrease hold for the next ten years, every town in South Dakota would be no-license by virtue of public sentiment, as expressed in the annual local option vote. It is now proposed to nullify the temperance work of the past decade by substituting state-wide prohibition for the present effective law, and thus disfranchising the towns of the state as far as local control of the liquor traffic is concerned. Such a marked change in policy should not be sanctioned without the careful consideration of the voters of South Dakota.

Firm in the belief that the South Dakota local option law has been a bulwark for temperance and has reduced the consumption of liquor to the smallest per capita unit in the history of the state, scores of prominent temperance men, representing every section of the state, recently met and organized the South Dakota Local Option League.

THE OFFICERS OF THE LEAGUE ARE AS FOLLOWS

President, GENERAL MARK W. SHEAFE, Watertown

VICE PRESIDENTS AT LARGE

R. H. Driscoll, Cashier, First National Bank, Lead
P. N. Aggergaard, Farmer, Irene

John A. Sauer, Manufacturer, Huron
Louis V. Schneider, Banker, Salem

TREASURER

B. A. Cummins, Vice President First Nat. Bank, Pierre

SECRETARY

Capt. Arthur W. Phelps, Real Estate, Faulkton

The Local Option League argued that licensing and regulating liquor sales was a better approach to combating alcohol abuse than outright prohibition, which would lead to widespread disregard for the law. The league distributed handbills like this one explaining its position during the 1916 election campaign.

South Dakota Attorney General Clarence Caldwell led the City Dry Union, Roland Holsaple was the most prominent face of the prohibition movement and led the public fight across the state.²⁴

The battle in South Dakota was important enough that the ASL's national leader and chief legal counsel, Wayne Wheeler, came to the state on a speaking tour. Wheeler and Holsaple emphasized evolutionary change. While total prohibition was the organization's ultimate goal, it preferred to work gradually. As its name indicated, the league focused on eliminating saloons, thereby avoiding the much more divisive issue of regulating personal alcohol consumption. Many Americans opposed saloons, which they associated with alcohol's worst abuses, from male drunkenness to political corruption. By focusing on saloons, the ASL could win support from voters it would otherwise lose, such as Catholics and "wet dries," voters who drank but thought there should be greater alcohol regulation.²⁵ Wheeler promised that with prohibition South Dakota would no longer have saloons; breweries and saloons would be converted into factories; children would receive better education; and tax rates would decrease, as would crime and drunkenness.²⁶ Reflecting the ASL philosophy, Superintendent Holsaple publicly assured South Dakotans that "the proposed amendment does not prevent any man from shipping in liquors for his own use in exactly the same way as he does now."²⁷ Saloons and package sales were the targets. The ASL bought newspaper advertisements all over the state, making the position of the leading organization in the prohibition fight well known to South Dakota voters.

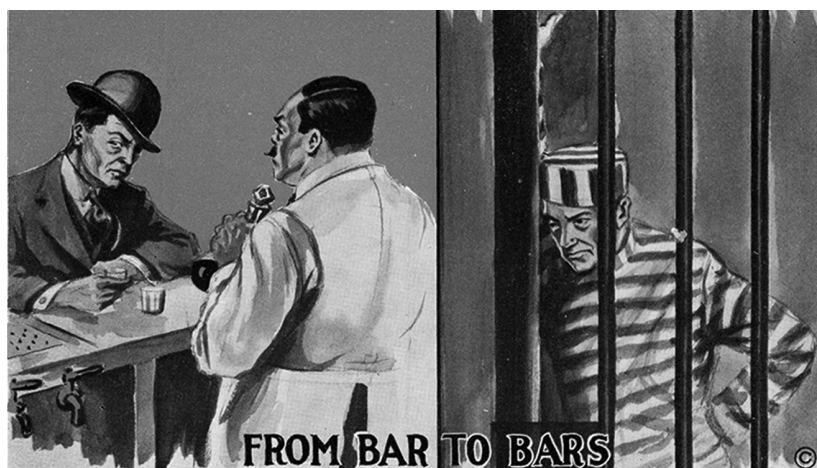
This position, which was far from absolute prohibition, exactly mirrored the proposed Amendment 7. Unsurprisingly, it differed little from the failed federal Hobson Amendment. Amendment 7 would forbid the manufacture "for sale, barter, trade, gift or beverage pur-

24. Ibid., 14, 15 Mar., 2, 16, 20, 26 Sept., 19, 26, 30 Oct., 6 Nov. 1916; *Rapid City Daily Journal*, 27 Oct. 1916; *Brookings Daily Register*, 7 Sept., 19 Oct. 1916; *Brookings Press*, 28 Sept. 1916; Smith, *South Dakota: Its History and Its People*, 3:761.

25. Thomas R. Pegram, *Battling Demon Rum: The Struggle for a Dry America, 1800-1933* (Chicago: Ivan R. Dee, 1998), pp. 122-23.

26. *Brookings Press*, 2 Nov. 1916.

27. *Sioux Falls Daily Argus-Leader*, 17 Oct. 1916.



Temperance supporters commonly believed that alcohol abuse was a major source of criminal behavior.

poses, [of] any spirituous, vinous, malt, brewed, fermented or other intoxicating liquors, or any mixtures or compounds which in part consists of intoxicating liquors.” The measure would also prohibit the importation of intoxicants, except those used for “medicinal, mechanical, sacramental or scientific purposes.” It said nothing about personal importation, possession, or consumption of alcohol.²⁸

The newspaper campaign heated up in October 1916, but the wet forces did little more than sponsor a few prominent speakers, mail literature, and purchase advertising in newspapers. The editor of the *De Smet News* wondered what was happening, writing that “were it not for the Equal Suffrage movement and the fight on saloons South Dakotans would hardly realize that we are in the midst of the fall campaign. The saloon league [an ironic reference to the wet forces] is rather quiet and seems practically to have given up hope of a vote favorable to their interests.”²⁹ While there were undoubtedly many wet South Dakotans, few seemed to become involved in the fight by establishing or joining organizations, writing letters to newspapers, or any other form of

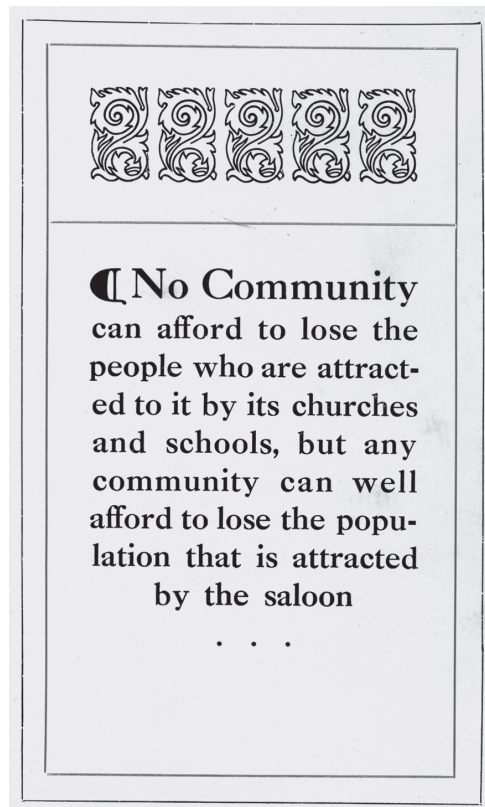
28. South Dakota Constitution (1916), art. 24.

29. *De Smet News*, reprinted in *Rapid City Daily Journal*, 22 Oct. 1916.

public political expression. Maintaining the legality of alcohol did not produce the same sort of enthusiasm or organization that prohibition did, and the wets proved ineffective.

The same could not be said of dry churches, schools, temperance and prohibition organizations, and dry individuals, to say nothing of South Dakota's many dry newspaper editors, who actively crusaded for Amendment 7 (and many, at the same time, for women's suffrage). The South Dakota ASL created an offshoot, the State Dry Campaign Committee, to battle the Local Option League in the fall election. The committee took out advertisements associating alcohol with crime and arguing that prohibition reduced taxes.³⁰

30. *Sioux Falls Daily Argus-Leader*, 31 Oct. 1916.



This temperance postcard suggested that solid, church-going citizens would avoid settling in "wet" communities.

Drys worked throughout the state. In Sioux Falls, citizens of multiple political parties united to tie all of the city's prohibition forces into a dry commission, while the ASL organized speeches. Presbyterian minister James A. Ayres addressed a combined woman suffrage and prohibition rally in Sturgis. Rapid City's Protestant churches held a "union" meeting in which their pastors addressed prohibition before five hundred drys.³¹ As the Pierre WCTU had done previously, Rapid City's WCTU chapter and Methodist, Baptist, and Congregationalist churches organized a substantial parade just before the election. The Rapid City event attracted a thousand participants, including an "Uncle Sam" riding a water wagon bearing the slogan "We can run this nation without revenue from booze," as well as forty children in a wagon with a sign reading "40 good reasons to vote South Dakota DRY." The cavalcade also included one hundred fifty Sunday school children, a contingent of uniformed boys from the Rapid City Indian School, and thirty-three automobiles, many filled with lifelong WCTU members. In the parade and at a nighttime meeting, the group advocated both Amendment 6, which would establish female suffrage, and Amendment 7. One group of young parade participants chanted: "We can't vote. Neither can ma. If the state goes wet we'll blame it on pa."³² Former governor Frank Byrne addressed students at South Dakota State College in Brookings. Speaking teams from the University of South Dakota's YMCA toured the state.³³ Drys waged an active and effective campaign in favor of Amendment 7.

Newspapers, most of which could be classified as dry or dry-leaning, influenced South Dakota's political campaigns. The *Sioux Falls Daily Argus-Leader* proved to be not just a battleground in the fight, but also an important combatant itself because no other news source in the state was as often quoted in other publications or had a larger circulation. Easily South Dakota's leading newspaper, the *Argus-Leader* served both the state's largest city and its most populated region. Its circulation in 1917 was over eleven thousand, for a city estimated to have

31. Ibid., 20 Sept., 31 Oct., 4 Nov. 1916; *Rapid City Daily Journal*, 20, 29 Oct., 9 Nov. 1916.

32. *Rapid City Daily Journal*, 7 Nov. 1916.

33. *Brookings Press*, 2 Nov. 1916; *Rapid City Daily Journal*, 29 Oct. 1916.



Children were the focus of a temperance rally in Miller in 1916. The sign to the right of the group reads, "The Saloon or the Boys and Girls: The Real Issue."



This button urged a "yes" vote on a prohibition ballot question sometime in the early twentieth century.

more than twenty-one thousand residents.³⁴ The newspaper had been largely neutral on alcohol during the previous two years and regularly printed beer and whiskey advertisements.³⁵ It also carried far more advertisements from the well-funded South Dakota Local Option League than it did for the ASL.

Charles Day, editor of the *Argus-Leader* and a member of the Stalwart faction of the Republican Party, did not write many editorials on prohibition prior to the 1916 election. When he did, he usually took the side of the Local Option League.³⁶ In the event that Amendment 7 passed, Day called for licensed beer and wine sales and a ban on hard liquor, arguing that “this would not appeal to the prohibitionist, but as a real temperance movement it is attracting attention in many states.”³⁷

By the time of the November 1916 election, however, Day’s position had shifted considerably. Three days before the election, he wrote that if South Dakotans chose to amend the state constitution, “we hope to see the adoption of the amendment followed by the enactment of a law which will make it a crime to buy liquor, as well as to sell it, and which would put a stop to the drugstore saloon which usually flourishes in prohibition states.”³⁸ The editor’s new stand on prohibition set the stage for a personal battle between Day and Holsaple and led to the adoption of a law that went much further than Amendment 7.

In the gubernatorial election of 7 November 1916, Norbeck handily defeated his Democratic opponent, Orville E. Rinehart, by a vote of 72,789 to 50,545. The Socialist candidate earned 3,556 votes, while the Prohibition Party candidate won only 1,630. South Dakota’s prohibitionists supported Norbeck and his dry, progressive running mate, William H. McMaster. Amendment 6, which would have given South Dakota woman suffrage, failed with 53,432 voting for the measure and 58,350 against it. Norbeck and the Republican Party supported Amendment 6, but in the counties where Norbeck did well, woman

34. *Sioux Falls Daily Argus-Leader*, 1 June 1915, 1 Oct. 1917.

35. For example, the issue for 3 Feb. 1917 carried an advertisement for “Red Top Rye, America’s Finest Whiskey.”

36. *Sioux Falls Daily Argus-Leader*, 2 Oct. 1916, 2 Mar. 1917.

37. *Ibid.*, 2 Sept. 1916.

38. *Ibid.*, 4 Nov. 1916.

suffrage tended to lose. In counties with the highest German populations, Amendments 6 and 7 both did poorly. However, while woman suffrage failed statewide, Amendment 7 did pass, with 65,334 votes in favor (55 percent) and 53,380 opposed (45 percent).³⁹

All but twelve South Dakota counties voted dry. The largest majority was 866 votes out of 2,922 cast in Brookings County, long the state's driest, while the smallest margin was in Corson County, dry by only four votes out of 1,016 cast. Many counties had close votes. Sioux Falls and Deadwood both voted dry for the first time. Ethnicity and religion clearly played roles in the election, but it is difficult to ascertain their effect, given the many political fault lines in the state. However, some

39. Fite, *Peter Norbeck*, pp. 52–53; South Dakota, *Legislative Manual* (1917), pp. 463, 475; Patricia O'Keefe Easton, "Woman Suffrage in South Dakota: The Final Decade, 1911–1920," *South Dakota History* 13 (Fall 1983): 218–22.



As the state's largest city and home of the influential *Argus-Leader*, Sioux Falls was central to the fight over prohibition.

analysis is possible using the information on residents' religion and ethnicity collected in the 1915 South Dakota state census.⁴⁰

While all of the wet counties possessed high German-heritage populations (20 to 75 percent), other counties with substantial German populations, such as McCook County (38 percent German) and Bon Homme County (32 percent German), voted for the amendment. Of the eighteen counties with over 25 percent German-descended populations, ten voted dry, but these dry counties had comparatively diluted German populations of 26 to 38 percent. With the exception of Bon Homme and McCook counties, where Germans dominated, prohibition failed. People of Swedish heritage had distributed themselves around the state so evenly that their 3.9 percent share of the population was politically diluted. Norwegian-descended people were much more likely to dominate in certain regions while being sparsely distributed in the remainder of the state. They probably had a greater local impact than the Swedish. The Norwegian portion of the population in wet counties was usually low, the highest being Campbell County's 7.4 percent. In Yankton County, long the destination of Norwegian immigrants, 2,466 Norwegians (16.6 percent of the county's population) co-existed with the next largest immigrant group, 2,348 German-descended people (15.8 percent of the population). Yankton County voted 50.5 percent *against* prohibition.⁴¹

The single greatest determinant of whether a county voted for or against prohibition was the size of its self-identified "American" population (old-stock Americans who no longer identified with any ethnicity). Prohibition passed in every county with an "American" population greater than 17 percent, with the exception of Aurora, Brule, Faulk, and Potter. These counties had significant numbers of Catholic residents, ranging from 13.4 to 22.5 percent of the population, as well as

40. *Brookings Register*, 30 Nov. 1916; *Sioux Falls Daily Argus-Leader*, 8 Nov. 1916; South Dakota, *Legislative Manual* (1917), pp. 463, 475; Robinson and Stevenson, comps., *Third Census*, pp. 34–39, 54–57. The figures for election results and ethnic/religious affiliations that follow are based on data from the *Legislative Manual* and the *Third Census*, respectively.

41. South Dakota, *Legislative Manual* (1917), p. 475; Robinson and Stevenson, comps., *Third Census*, pp. 34–39.

small shares of Congregationalists (0.9 to 4.6 percent), Baptists (0.6 to 2.2 percent), Episcopalians (0.2 to 1.5 percent), and Presbyterians (0.4 to 7.5 percent). The four counties also had relatively small Methodist populations (0.4 to 16.5 percent).⁴²

Although the Roman Catholic Church made up the largest single denomination in the state, in only two counties, Edmunds (27 percent) and Bennett (30 percent) did its followers top a quarter of the population. The Catholic share of the overall state population was about 13.5 percent. Bennett County voted 131 to 104 to pass Amendment 7, while the measure failed to carry Edmunds County with only 634 “yes” votes to 834 “nays.” Results in Lutheran-heavy counties depended upon the dominant ethnicity. German Lutherans appear to have voted wetter than Scandinavian Lutherans.⁴³

Aurora, Bon Homme, Brule, Campbell, Douglas, Edmunds, Faulk, Hutchinson, McPherson, Potter, Walworth, and Yankton counties rejected prohibition. Norbeck won the gubernatorial race in all of them except Brule County, where the difference was only forty votes out of 1,743 cast. The popular Republican candidate even carried several wet counties by large majorities. None of the wet counties voted for woman suffrage, and nine of the twelve recorded the highest percentages against it. Clearly, voters in these counties associated woman suffrage with prohibition. All of the wet counties were east of the Missouri River. The wettest by vote percentages was McPherson County, where 84 percent of voters rejected prohibition and 79.4 percent rejected woman suffrage. Even so, Norbeck carried the county, with 78.8 percent supporting the dry, suffragist candidate. Six of the wet counties (Campbell, McPherson, Walworth, Edmunds, Potter, and Faulk) formed a solid bloc just east of the Missouri and south of the North Dakota line. The other six (Brule, Aurora, Douglas, Hutchinson, Bon Homme, and Yankton) formed a second contiguous bloc, if somewhat irregular in shape, stretching from Chamberlain to Yankton. While all

42. South Dakota, *Legislative Manual* (1917), p. 475; Robinson and Stevenson, comps., *Third Census*, pp. 34–39, 54–57.

43. Robinson and Stevenson, comps., *Third Census*, pp. 18–19, 54–57; South Dakota, *Legislative Manual* (1917), p. 475.

counties west of the Missouri voted dry in 1916, the wettest counties in South Dakota were either on the river or separated from it by only one other county.⁴⁴

South Dakotans across the state and across religious and ethnic lines had voted in substantial numbers to adopt Amendment 7. The 1916 election was not an overwhelming mandate, however. The difference between passage and failure was only 10 percent of the vote, but the dries had won and now had to define their victory with an enabling law to enforce the measure, the new Article 24 of the state constitution. In his inaugural address on 2 January 1917, Governor Norbeck called for a strong prohibition law. He blamed lax local enforcement for the failure of prohibition from 1889 to 1896, arguing that South Dakota needed a statewide prohibition officer, state control of alcohol-related prosecutions, and power for the governor to remove state's attorneys and county sheriffs who failed to enforce the law.⁴⁵

A few days later, Roland Holsapple announced that the ASL had drafted a bill for the legislature that would close the state's saloons and strictly regulate alcohol manufacture, transport, and sale but allow individuals to import up to one quart of distilled liquor or three gallons of beer per month. The proposed law mirrored the terms of Amendment 7 as passed by the voters and was a product of national and local ASL leaders.⁴⁶ The bill's essential features were agreed upon at a December meeting at ASL headquarters in Mitchell "attended by a number of prominent lawyers of Mitchell and other cities of the state and also a number of the members-elect of the legislature," according to the *Sisseton Weekly Standard*. Other attendees included "Mr. H. H. Sawyer, attorney for the Iowa anti-saloon league, of Des Moines, Iowa, and Hon. Wayne B. Wheeler, general counsel of the anti-saloon league

44. South Dakota, *Legislative Manual* (1917), pp. 463, 475; Robinson and Stevenson, comps., *Third Census*, pp. 34–39, 54–57.

45. Peter Norbeck, "Inaugural Address of Governor Peter Norbeck to the Fifteenth Legislative Session of the State of South Dakota" [1917], Box 7136 B, State Archives Collection, South Dakota State Historical Society, Pierre.

46. *Pierre Daily Capital Journal*, 26 Dec. 1916; *Sioux Falls Daily Argus-Leader*, 10 Jan. 1917.

of America from Washington, D.C.”⁴⁷ Both lawmakers and citizens expected the state’s leading anti-alcohol group to wield significant influence. The ASL’s clout may be gauged by the testimony of South Dakota Pharmaceutical Association secretary E. C. Bent. Because the new law would impact pharmacists, Bent stated, “We have indicated to the officers of the Anti-Saloon league that we would like to be consulted and we have received word that our committee will be given an audience when the framing of the bill is under consideration.”⁴⁸ Everyone waited for the new legislative session to begin in January 1917.

Charlie Day of the *Sioux Falls Daily Argus-Leader* and the state’s other prominent wet editor, Thomas B. Roberts of the *Pierre Daily Dakotan*, had opposed Amendment 7. After its passage, however, Day demanded an enforcement act that went even further to reduce the availability of alcohol in South Dakota.⁴⁹ In doing so, he expanded cracks within the dry coalition and shifted power from gradualists to radical dries, who wanted an immediate and comprehensive alcohol ban.

Events outside of South Dakota began to shape the debate. During the first week of the 1917 legislative session, news came that the United States Supreme Court had found the Webb-Kenyon Act of 1913 to be constitutional. The federal statute supported the efforts of dry states to keep alcohol from crossing their borders and enabled the enforcement of state bans on possession, manufacturing, sales, and transportation. South Dakota’s dries celebrated.⁵⁰ The timing was bad for wets, as the debate over the proposed law occurred in the winter of 1916–1917, when the United States was moving toward war with Germany. South Dakota began to develop a rabidly anti-German climate, and German-Americans dominated the brewing industry.

Charlie Day now coordinated a personal campaign against Roland Holsapple, printing numerous editorials of his own, biased articles, angry letters from readers, and editorials from other newspapers. All

47. *Sisseton Weekly Standard*, 29 Dec. 1916.

48. *Sioux Falls Daily Argus-Leader*, 22 Nov. 1916.

49. *Pierre Dakotan*, reprinted in *Rapid City Daily Journal*, 16 Nov. 1916; *Yankton Press and Dakotan*, reprinted in *Sioux Falls Daily Argus-Leader*, 18 Jan. 1917.

50. *Sioux Falls Daily Argus-Leader*, 8 Jan. 1917; *Pierre Daily Capital Journal*, 9 Jan. 1917.

of these items attacked the ASL superintendent and urged voters to contact their leaders and demand a zero-tolerance, “bone dry” prohibition act.⁵¹ Day, as well as more sincere dry editors, virtually ignored the bill’s origins in national ASL policy and the efforts of its national leadership in crafting the legislation. Ironically, the *Argus-Leader* continued to advertise hard liquor (one such advertisement read, “America’s Finest Whiskey. Treat Yourself to the Best. Red Top Rye”), even as the newspaper attacked the ASL for its willingness to permit limited alcohol use.⁵² Day’s campaign began to have an effect. As an editorial in the *Pierre Daily Capital Journal* on 20 January commented, “It appears that the legislature may finally decide, after all, to follow the advice of those rampant prohibitionists, Tom Roberts and Charley Day, and pass a bone dry[,] horse high, bull strong prohibition law. Nothing else, apparently, will satisfy Tom and Charley, and it is only fair that the legislature give their demands due consideration.”⁵³ Wets and drys alike wondered if a “bone dry” law was not a plan the wets had concocted to cause voters to reject prohibition altogether.

Day’s motivation is unclear. Given his earlier wet stance, it is possible that he hoped to doom prohibition. He also openly despised Roland Holsaple. Day’s newspaper gleefully cited real and widening divisions within the dry coalition, making much of the rejection of the ASL bill by the state’s WCTU, the largely Swedish state chapter of the Good Templars, and even by the Beadle County ASL. Day’s relentless campaign pushed Holsaple to attack the editor intemperately in an hour-and-a-half-long address to one hundred prohibition leaders assembled at the Cataract Hotel in Sioux Falls. Despite Holsaple’s oration, the meeting voted to push for a “bone dry” law.⁵⁴

Day’s attacks on Holsaple were unusually personal. His demand for absolute prohibition was temporary, and by January 1920, the *Argus-Leader* went back to its traditional stand that legal beer and wine “would have been practical wisdom from the real prohibition and an-

51. *Sioux Falls Daily Argus-Leader*, 9, 12, 15, 18, 20, 26 Jan. 1917.

52. This advertisement ran in the *Sioux Falls Daily Argus-Leader* on 20 January 1917.

53. *Pierre Daily Capital Journal*, 20 Jan. 1917.

54. *Sioux Falls Daily Argus-Leader*, 16, 20, 24, 27 Jan. 1917.

ti-saloon point of view.”⁵⁵ Although the frequency and tone of Day’s editorials show that discrediting Holsaple and the ASL were at least part of the newspaperman’s purposes, the rejection of the moderate ASL bill by the more extreme wing of the dry movement required no outside prodding. Nationally, the movement was divided between those who believed in temperance, represented by the ASL, and absolute dries, such as the WCTU. In South Dakota, even the ASL split into moderate and absolutist wings.

Men dominated the national and state leadership of the ASL. The league’s strategy relied on support from ministers and political figures, both of which were almost exclusively male groups. On the other hand, the WCTU was entirely female and advocated the absolute prohibition of alcohol.⁵⁶ Its members considered alcohol to be so harmful that no amount was healthy for the person, family, or society. When the terms of the ASL’s draft bill became known, the WCTU broke with the ASL. South Dakota WCTU president Anna Simmons initiated a statewide petition calling for “total abstinence,” declared that the organization’s new motto was “no compromise,” and sent an address to dry churches in which she wrote, “We protest against this discriminating clause, and insist that as prohibition workers we keep faith with our temperance forces and voters of the state in an enactment of a ‘bone-dry’ law. Therefore, comrades, we ask you to secure men in your town and your members in the legislature from your county, urging them to stand and vote for a clean cut law, and against this personal booze clause.” Simmons and the WCTU took this position even though they had never previously objected to the ASL-drafted language in Amendment 7.⁵⁷ The WCTU worked with ministers to pressure South Dakota lawmakers to produce a truly dry bill.

The more moderately dry *Pierre Daily Capital Journal* called for a compromise permitting individuals four gallons of beer a month, suggesting, “It is strong drink that does the damage. By adopting the sys-

55. Ibid., 20 Jan. 1920.

56. Ibid., 9 Oct. 1915; *Rapid City Daily Journal*, 26 Jan. 1917; Okrent, *Last Call*, pp. 18, 63–64.

57. *Sioux Falls Daily Argus-Leader*, 29 Jan. 1917.



Members of the WCTU often wore white ribbons to show their support for prohibition. This mother-of-pearl pin in the shape of a white ribbon belonged to South Dakota WCTU president Anna Simmons.

tem of limiting the home consumption to beer or light wine only, the legislature would surely . . . do away with most of the ill effects of alcohol.”⁵⁸ However, the momentum was with the strict prohibitionists. Complicating matters further, Roland Holsaple was not well liked due to his abrasive personal style. Even fellow drys, such as the editor of the *Aberdeen Weekly News*, turned on him. An editorial in the issue for 1 February 1917 declared, “Superintendent Holsaple’s contention that a ‘bone dry’ law would be a mistake at this time, because many voters, he doesn’t know how many, voted for prohibition with an understanding that the law wouldn’t be ‘bone dry’ shows a praiseworthy effort upon the part of Mr. Holsaple to comply with his pre-election promises. The trouble appears to be that other prohibition advocates made no such bargain, and that Mr. Holsaple has no mortgage upon the actions of the members of the South Dakota legislature.” The piece further criticized the ASL superintendent for “dictatorial methods.”⁵⁹ The league, and its

58. *Pierre Daily Capital Journal*, 22 Jan. 1917.

59. *Aberdeen Weekly News*, 1 Feb. 1917.

leader, were losing support and risked the evaporation of their influence over the state's prohibition laws.

Meanwhile, the *Argus-Leader* editorial campaign against Holsaple and for "bone dry" prohibition accelerated. Articles and editorials listed churches that had meetings or sent petitions for a "bone dry" law and quoted ministers who criticized the ASL superintendent. One clergyman threatened to "lead a movement to close every church door against the Anti-Saloon League for future meetings and offerings" and went so far as to "suggest that we hang in effigy its leader."⁶⁰ The *Argus-Leader* reprinted bone-dry prohibitionist editorials from around the state, and accused the ASL leader of drafting a law that would allow the wealthy to drink but not the poor. Day's newspaper ran so many anti-Holsaple articles that it also began to print denials that it was purposefully targeting him.⁶¹

The state's other newspaper editors divided over the issue, but as the (dry) editor of the *Rapid City Daily Journal* phrased it, "The state press is pretty strongly inclined to see but one side to the prohibition legislation and that is the 'bone-dry' side."⁶² Few newspapers reminded readers of the actual text of Amendment 7, although the *Sisseton Weekly Standard* did note that "in some quarters it is hoped that the law to be enacted will prohibit the shipment of liquor into the state. It is an open secret that several thousand voters who have planned to have supplies of liquors shipped into the state to them, so they can have the supplies in their own homes, were among those who voted for statewide prohibition."⁶³ Other newspapers, such as the *Vermillion Republican*, insisted that South Dakotans wanted the state to be absolutely dry. The *Republican* editorialized, "How is Mr. Holsaple going to reconcile his pre-election ideas of a dry state with his present plan to allow individuals a certain amount of liquor each month to be consumed in the privacy of their own home? When the people of the state voted 'dry' it is very evident that they meant just what they said, and they deny any individual the privilege of dictating anything in the con-

60. *Sioux Falls Daily Argus-Leader*, 15 Jan. 1917.

61. *Ibid.*, 23, 31 Jan. 1917.

62. *Rapid City Daily Journal*, 24 Jan. 1917.

63. *Sisseton Weekly Standard*, 29 Dec. 1916.

trary direction.”⁶⁴ Despite the *Republican*’s confident assertion, there was no way to determine whether South Dakotans wanted the strictest possible anti-liquor law in January 1917. Throughout the history of prohibition in South Dakota, drys regularly made assumptions of support without conclusive evidence.

In January 1917, the *Argus-Leader* urged its readers to send in their votes on the prohibition issue. In this decidedly non-scientific survey, 391 readers voted dry and only 24 wet, a result Day hailed as evidence of widespread, nearly universal support for prohibition.⁶⁵ The editor claimed preposterously that “public sentiment here can be said to be practically unanimous for a bone-dry law, and support comes as freely from those who voted against prohibition as from those who voted for it.”⁶⁶

The rejection of the ASL bill by the South Dakota WCTU mattered, for the latter organization had a reputation as a powerful lobbying group and many allies in the legislature. Reflecting President Simmons’s belief that the upcoming legislative session was the most important since statehood, the WCTU worked with ministers to convince lawmakers to produce a truly dry bill. Ground-level support for a strict enforcement law increased, thanks to the group’s fervor. The organization put pressure on legislators indirectly by urging its members to write their elected representatives and directly through its lobbying team.⁶⁷

Facing attack not only from the state’s Protestant churches, other temperance organizations, and most of the state’s newspaper editors, Holsaple defended his bill. The ASL leader expressed doubt that voters would have approved Amendment 7 had it been “bone dry” because so few were total abstainers. He believed it necessary in the short term to win the votes of the large number of moderate dry citizens in hopes that a future legislature could create an absolutely dry law. Holsaple fumed, “The liquor interests however, and the wet newspapers of the state were so vociferous in their demand for a ‘bone dry’ law

64. *Vermillion Republican*, reprinted in *Rapid City Daily Journal*, 20 Jan. 1917.

65. *Sioux Falls Daily Argus-Leader*, 26, 29 Jan. 1917.

66. *Ibid.*, 16 Jan. 1917.

67. Anna R. Simmons and Mrs. S. T. May, “Special Appeal,” *White Ribbon Journal* 26 (Feb. 1917): 1; Rose Bower, “Miss Bower Writes Letter from Pierre,” *ibid.*, p. 2.

that a large number of the dry people became suspicious.” He charged these sudden dry advocates with working to enact a law so strict that voters would later repeal prohibition. By 27 January 1917, Holsaple was making the dubious claim that he had *always* supported a bone-dry law and that his earlier position was merely a test to see whether voters would demand total prohibition.⁶⁸ He, and the ASL, had lost whatever control they had to shape legislation further.

The ASL sent a revised prohibition bill to the legislature, where the influential “JAG powers”—Republican representatives U. G. Johnson of Spink County, E. W. Anderson of Clark County, and A. N. Graff of Minnehaha County—introduced it as House Bill 307 on 7 February. The Senate’s corresponding trio, the “ABC Powers”—Republican senators C. S. Amsden of Grant County, Charles E. Boreson of Davison County, and M. G. Carlisle of Brookings County—introduced a companion bill in the upper house. The chief difference with the original ASL bill was that the new proposals did not allow personal possession of alcohol.⁶⁹

Efforts to pass a moderate dry bill failed. Brewing industry lobbyists failed to convince legislators to allow low-alcohol “near beer.” The legislature simply ignored the concerns of the South Dakota Pharmaceutical Association, one legislator telling the association’s president that lawmakers would request its aid if they could find an honest pharmacist.⁷⁰ The reliably dry Republican Senator Hans Urdahl of Lake County argued that a wholly dry bill would drive voters away from temperance and would destroy the movement, reminding his colleagues that “less than twenty-five percent of the voters of this state are total abstainers. A large number of people who voted to make the state dry have intoxicating liquors in their house in some form or other. The big-

68. *Sioux Falls Daily Argus-Leader*, 27 Jan. 1917.

69. *Pierre Daily Capital Journal*, 15 Jan., 8 Feb. 1917.

70. *Sioux Falls Daily Argus-Leader*, 30 Jan. 1917; J. A. Pool, “Annual Address of the President of the South Dakota Pharmaceutical Association, 1917,” in Alice B. Muller, comp., *Twenty-Seventh Annual Report of the South Dakota State Board of Pharmacy [and] Report of the Thirty-Second Annual Convention of the State Pharmaceutical Association. With Abstract of Record of Proceedings and Roll of Membership. 1917* (Sioux Falls, S.Dak.: N.p., N.d.), pp. 22–23.

gest percentage of these voted for the dry amendment because they were against the open saloon.”⁷¹

Urdahl’s argument failed to sway the majority of his colleagues. Thanks to the marshaling of dry sentiment by the newly dry *Argus-Leader*, the WCTU and religious leaders, what became known as the “Bone Dry Law” passed 88 to 10 in the house and 41 to 4 in the senate. After defeating attempts to legalize small quantities of alcohol, the legislature passed the prohibition bill as an emergency measure, which meant that the new law could not be challenged through the petition and referendum process. Surrounded by WCTU and ASL members, Governor Norbeck signed the bill on 21 February 1917. Roland Holsapple provided the pen.⁷²

The “Bone Dry Law,” chapter 281 of the 1917 session laws, was a fifty-two-page attempt to regulate every possible facet of alcohol use. According to the *Brookings Register*, the legislation bore the mark of Governor Norbeck.⁷³ The law placed responsibility for enforcing alcohol prohibition at the state level, giving the governor supervisory authority over the attorney general, a new commissioner of prohibition, and “all state’s attorneys, sheriffs, and police officers in the state,” as well as the power to remove all such officers who neglected to enforce the law (sec. 2).⁷⁴ The legislation defined “intoxicating liquors” broadly, to include any “liquid mixture or compound containing alcohol,” with no maximum limit (sec. 3). It banned advertising alcoholic products after 30 June 1917 (sec. 13) and barred railroad companies or common carriers from importing liquor for any but licensed purposes (sec. 42). The law barred clubs or associations from possessing, selling, or giving away alcohol (sec. 44) and made it illegal to be intoxicated and required judges to question such persons, under oath, concerning their acquisition of alcohol. Non-cooperation was punishable by a fine or jail term (sec. 76).

71. *Pierre Daily Capital Journal*, 24 Jan. 1917.

72. *Sioux Falls Daily Argus-Leader*, 26 Jan., 23 Feb. 1917; *Brookings Register*, 22 Feb. 1917; *Pierre Daily Capital Journal*, 21 Feb. 1917; South Dakota, *Session Laws* (1917), ch. 281.

73. *Brookings Register*, 15 Mar. 1917.

74. South Dakota, *Session Laws* (1917), ch. 281.



Governor Peter Norbeck signed the “bone dry” state prohibition law on 21 February 1917. Standing behind Norbeck, from left, are Lieutenant Governor William H. McMaster, Roland N. Holsapple, Harriet McMaster, Senator M. G. Carlisle of Brookings, Representative U. G. Johnson of Redfield, and Speaker of the House A. C. Roberts of Pierpont. South Dakota WCTU president Anna Simmons is seated to Norbeck’s left.



The pen Governor Peter Norbeck used to sign the “bone dry” law is now in the collection of the Museum of the South Dakota State Historical Society.

Despite pressure from extreme dries, the legislature decided to allow limited legal use of alcohol. The new law permitted licensed pharmacists to sell alcohol under strict controls (sec. 5, secs. 16–37) and allowed licensed physicians to prescribe it medically “only in cases of actual sickness,” provided that “no more liquor shall be prescribed than necessary for such sickness” (sec. 40), with all sales and prescriptions to be reported monthly to the commissioner of prohibition (secs. 38–40). The legislation also allowed sale for “scientific purposes,” to include veterinary use (sec. 15). Most prominently, the law made an allowance for the sacramental use of alcohol, and, as with physicians and pharmacists, it required clergy to account strictly for all alcohol so used (sec. 26).



While prohibition decimated brewing and distilling companies, other business owners saw opportunity in supplying nonalcoholic forms of refreshment. This glass advertises the Temperance Beverage Company of Chicago.

What distinguished South Dakota from most other dry states was that, at least in intent the law did not allow private alcohol possession. However, this section was badly written, making it “unlawful for any person to keep or have for personal use or otherwise, or to use, or permit another to have, keep or use intoxicating liquors in any hotel, restaurant, store, drug store, pharmacy, lunch room, factory, club . . . or any other public place” (sec. 44). The legislation said nothing about alcohol possession in private homes. This omission caused confusion and contention for years.⁷⁵

In its original form, the “Bone Dry” law entrusted day-to-day enforcement to the newly created office of commissioner of prohibition. However, the legislature later passed a measure, chapter 355 of the 1917 session laws, that replaced the commissioner of prohibition with the office of state sheriff. Chapter 355 defined the duties of the state sheriff as “taking all steps necessary for the enforcement of all criminal laws of this state” as well as “suppressing riots, preventing affrays, and preserving and enforcing law and order,” but with an emphasis on enforcing prohibition laws.⁷⁶ The legislation expressly gave the state sheriff all of the responsibilities formerly entrusted to the commissioner of prohibition. Chapter 355 also created a state constabulary, consisting of all county sheriffs and deputy sheriffs, with the state sheriff as its head (secs. 1–4).

The WCTU could justly claim much credit for South Dakota’s new prohibition laws. Further evidence of the organization’s impact came when the legislature passed Senate Bill 133, requiring public schools to celebrate “Frances Willard Day” on or as near as possible to the late reform crusader’s birthday, 28 September. As WCTU national president from 1879 to her death in 1898, Frances E. Willard had transformed the group’s agenda from the promotion of temperance to a vigorous campaign for prohibition. Senate Bill 133 stipulated that one quarter of the school day be devoted to programs on “patriotism, civic improvement and the history and benefits of the prohibitory laws of the State.” The bill passed with lopsided votes of 39 to 1 in the senate and 77 to 3 in

75. Ibid.

76. South Dakota, *Session Laws* (1917), ch. 355.

the house. Governor Norbeck approved the legislation on 21 February 1917—the same day as the new prohibition law.⁷⁷

Passage of the “Bone Dry” law had other political effects. Amendment 7 alone sufficed to cripple the state’s liquor industry, but legal alcohol possession would have given the industry reason to campaign against female suffrage, with the expectation that voters would again weigh in on the prohibition issue. The WCTU-backed “Bone Dry” law killed the (legal) liquor industry completely, entirely removing its money as a barrier to the successful suffrage campaign of 1918.

Federal laws soon complemented state laws. At a special legislative session in March 1918, the South Dakota Legislature ratified the Eighteenth Amendment to the United States Constitution without a single dissenting vote. Governor Norbeck also vocally supported the measure, which instituted national prohibition. The entire South Dakota congressional delegation, consisting of two Republicans and one Democrat in the House of Representatives and one member of each party in the Senate, voted for passage of the Eighteenth Amendment. National prohibition took effect in January 1920.⁷⁸ With a state law stricter than federal law, buttressed by federal law enforcement officers and courts, it appeared that South Dakota would come as close to absolute prohibition as any state.

Did South Dakota become truly bone dry? No. State prohibition laws proved no more effective than their federal counterparts. Both the state and federal enforcement statutes had gone beyond the constitutional amendments that made them necessary. South Dakota’s situation was compounded by a tax code that produced insufficient revenue and an agriculturally based economy that fell on hard times years before the Great Depression. These factors made prohibition enforcement difficult and violation of the law a welcome source of income for some residents. The WCTU had proved to be more powerful than the ASL and, in combination with the state’s Protestant clergy and a large-

77. Ibid., ch. 228; Okrent, *Last Call*, pp. 16–19.

78. Ernest Cherrington, comp., *The Anti-Saloon League Year Book 1918* (Westerville, Ohio: The Anti-Saloon League of America, 1919), pp. 6–10; Norbeck, “Inaugural Address,” p. 26; South Dakota, *Session Laws* (1918 special session), ch. 30; Lender and Martin, *Drinking in America*, pp. 130–31.



Frances E. Willard, national WCTU president from 1879 to 1898, transformed the organization's focus from tolerance of moderate alcohol use to outright prohibition. The South Dakota Legislature passed a bill requiring the observance of her birthday in the public schools, which Governor Peter Norbeck signed into law on the same day as the "bone dry" bill.

ly dry press, was able to create one of the strictest laws in the nation. The state's political leaders were far drier than the general population. Reflecting this reality, the "Bone Dry" law was far more strict than the amendment voters had approved in 1916. In the end, the law was almost impossible to enforce, given a population that enjoyed alcohol, legal or not, in a state where alcohol production was particularly easy to conceal as a result of its low population density. South Dakotans changed their views over time, largely because the "Bone Dry" law the legislature passed went far beyond the constitutional changes citizens had voted on in November 1916. South Dakota was legally dry during the Prohibition era, but, like the rest of the nation, was far from it in practice.

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On the covers: The prohibition of alcohol was a much-debated topic in early twentieth-century South Dakota, generating strong opinions among both “wets” and “drys,” as seen in these postcards distributed by prohibition advocates. In this issue, Chuck Vollan details the campaign to limit alcohol through a constitutional referendum in 1916 as well as the aftermath of voters’ approval of the measure.

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